

FILED

JUN 17 2003

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON
U.S. COURT OF APPEALS**

SAMUEL BARRIOS,

Petitioner,

v.

JOHN ASHCROFT*, Attorney General,

Respondents.

No. 00-70760

INS No. A90-169-368

MEMORANDUM**

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted November 8, 2001***
Submission deferred November 13, 2001
Resubmitted March 5, 2002
Pasadena, California

Before: PREGERSON, REINHARDT, and SILVERMAN, Circuit Judges.

* John Ashcroft is substituted for his predecessor, Janet Reno, as Attorney General of the United States. Fed. R. App. P. 43©)(2).

** This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

*** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

This court's decision in *Taniguchi v. Schultz*, 303 F.3d 950 (9th Cir. 2002), controls this case and precludes the habeas relief sought by Mr. Barrios.

AFFIRMED.